

1 CHICAGO POLICE BOARD  
2 PUBLIC MEETING  
3 MARCH 19TH, 2015  
4 7:30 P.M. - 7:45 P.M.

5 REPORT OF PROCEEDINGS held at the City of  
6 Chicago Police Board Public Hearing held on March  
7 19th, 2015, at City of Chicago Police Headquarters,  
8 3510 South Michigan Avenue, Chicago, Illinois, on  
9 Thursday, March 19, 2015, at the hour of 7:30 p.m.

10 BOARD MEMBERS PRESENT:

- 11 MR. DEMETRIUS CARNEY (President)  
12 MS. MELISSA BALLATE  
13 MR. WILLIAM CONLON  
14 MS. RITA A. FRY  
15 MS. ELISA RODRIGUEZ  
16 MS. RHODA SWEENEY  
17 REV. MICHAEL EADDY (Audio Conference)  
18 MR. GHIAN FOREMAN (Audio Conference)

19

20 ALSO PRESENT:

- 21 MR. MAX A. CAPRONI, Executive Director  
22 MR. STEVEN MITCHELL, 1st Deputy Chief Administrator, IPRA  
23 MR. WILLIAM E. BAZAREK, 1st Assistant General Counsel, CPD  
24 MR. ALFONZA WYSINGER, First Deputy Superintendent of Police

1 MR. CARNEY: Good evening, everyone. I'm  
2 calling the Police Board meeting of March 19th to  
3 order.

4 Board Members Foreman and Eaddy are  
5 unable to attend this meeting in person and wish to  
6 attend via audio conference.

7 Is there motion to permit them to do so?

8 MS. BALLATE: So moved.

9 MR. CONLON: Second.

10 MR. CARNEY: All in favor?

11 MS. BALLATE: Aye.

12 MR. CARNEY: Aye.

13 MR. CONLON: Aye.

14 MS. FRY: Aye.

15 MS. RODRIGUEZ: Aye.

16 MS. SWEENEY: Aye.

17 MR. EADDY: (Present.)

18 MR. FOREMAN: (Present.)

19

20 MR. CARNEY: Opposed?

21 (No response.)

22 MR. CARNEY: The motion passes.

23 The first item of business is approval of  
24 the minutes of the Board's Public Meeting of

1 February 19th.

2 Is there a motion to approve?

3 MS. BALLATE: So moved.

4 MR. CONLON: Second.

5 MR. CARNEY: All in favor?

6 MS. BALLATE: Aye.

7 MR. CARNEY: Aye.

8 MR. CONLON: Aye.

9 MS. FRY: Aye.

10 MS. RODRIGUEZ: Aye.

11 MS. SWEENEY: Aye.

12 MR. EADDY: Aye.

13 MR. FOREMAN: Aye.

14

15 MR. CARNEY: Opposed?

16 (No response.)

17 MR. CARNEY: Our next meeting will be here at

18 the Chicago Public Safety Headquarters at 35th and

19 Michigan on April 16th at 7:30 standard time.

20 At this time, I'll ask for a motion to

21 close a series of executive sessions for purposes of

22 considering litigation and personnel matters, as

23 authorized by the Open Meetings Act.

24 Is there such a motion?

1 MS. BALLATE: So moved.

2 MR. CONLON: Second.

3 MR. CARNEY: All in favor?

4 MS. BALLATE: Aye.

5 MR. CARNEY: Aye.

6 MR. CONLON: Aye.

7 MS. FRY: Aye.

8 MS. RODRIGUEZ: Aye.

9 MS. SWEENEY: Aye.

10 MR. EADDY: Aye.

11 MR. FOREMAN: Aye.

12

13 MR. CARNEY: Opposed?

14 (No response.)

15 MR. CARNEY: Our report of disciplinary actions  
16 taken by the Board during the previous month has  
17 been made available at this evening's meeting.

18 This report and the Board's written  
19 findings and decisions are posted on the our  
20 website.

21 The Police Board, as authorized by the  
22 Open Meetings Act, has considered in closed meeting  
23 several disciplinary cases. The Board will now take  
24 final action on these cases.

1                   Regarding Case Nos. 14 PB 2870 and 2871,  
2   is there a motion to dismiss certain charges due to  
3   the five-year statute of limitations, find Police  
4   Officers Theron Jones -- and Ms. Court Reporter,  
5   that's T-h-e-r-o-n, Jones -- and Maria Fregoso, and  
6   that's F-r-e-g-o-s-o, hyphen, Hein, H-e-i-n, not  
7   guilty of the remaining charges relating to the  
8   unlawful detention and arrest and making false  
9   reports, and to restore each respondent to the  
10  position of police officer with the Chicago Police  
11  Department?

12           MS. FRY:   So moved.

13           MR. CONLON:   Second.

14           MR. CARNEY:   All in favor?

15           MS. BALLATE:   Aye.

16           MR. CARNEY:   Aye.

17           MR. CONLON:   Aye.

18           MS. FRY:   Aye.

19           MS. RODRIGUEZ:   Aye.

20           MS. SWEENEY:   Aye.

21           MR. EADDY:   Aye.

22           MR. FOREMAN:   Aye.

23

24           MR. CARNEY:   Any opposed?

1 (No response.)

2 MR. CARNEY: Voting in favor are Board Members  
3 Foreman, Ballate, Conlon, Eaddy, Fry, Rodriguez,  
4 Sweeney and myself.

5 The motion carries.

6 Is there a motion to adopt the written  
7 findings and decisions that have been reviewed by  
8 all the Board members who participated in the case?

9 MS. BALLATE: So moved.

10 MS. FRY: Second.

11 MR. CARNEY: All in favor?

12 MS. BALLATE: Aye.

13 MR. CARNEY: Aye.

14 MR. CONLON: Aye.

15 MS. FRY: Aye.

16 MS. RODRIGUEZ: Aye.

17 MS. SWEENEY: Aye.

18 MR. EADDY: Aye.

19 MR. FOREMAN: Aye.

20

21 MR. CARNEY: Any opposed?

22 (No response.)

23 MR. CARNEY: The motion passes by unanimous  
24 consent.

1                   Regarding Case No. 14 PB 2877, is there a  
2 motion to find Police Officer Robert Drell not  
3 guilty of violating Department rules by working  
4 secondary employment while on the medical roll and  
5 to reinstate him to his position within the Chicago  
6 Police Department?

7           MS. BALLATE: So moved.

8           MR. EADDY: Second.

9           MR. CARNEY: By a show of hands, all those in  
10 favor?

11                   (WHEREUPON, Ms. Ballate,  
12                   Ms. Rodriguez and Ms. Sweeney so  
13                   indicated by a show of hands.)

14           MR. EADDY: Aye.

15           MR. FOREMAN: Aye.

16

17           MR. CARNEY: Any opposed? May I have a show of  
18 hands?

19                   (WHEREUPON, Mr. Carney, Mr. Conlon  
20                   and Ms. Fry so indicated by a show of  
21                   hands.)

22           MR. CARNEY: Voting in favor are Board Members  
23 Foreman, Ballate, Eaddy, Rodriguez and Sweeney.

24                   Opposed are Board members Conlon, Fry and

1 myself.

2 The motion passes.

3 Is there a motion to adopt the written  
4 findings and decisions and dissent that have been  
5 reviewed by all Board Members who participated in  
6 the case?

7 MS. BALLATE: So moved.

8 MR. CONLON: Second.

9 MR. CARNEY: All in favor?

10 MS. BALLATE: Aye.

11 MR. CARNEY: Aye.

12 MR. CONLON: Aye.

13 MS. FRY: Aye.

14 MS. RODRIGUEZ: Aye.

15 MS. SWEENEY: Aye.

16 MR. EADDY: Aye.

17 MR. FOREMAN: Aye.

18

19 MR. CARNEY: Any opposed?

20 (No response.)

21 MR. CARNEY: The motion carries by unanimous  
22 consent.

23 The Board's decision in all the cases on  
24 which the Board took final action this evening will

1 be entered as of today's date, and will be issued to  
2 the parties.

3 A copy of the written decisions will be  
4 posted on the Board's website within ten business  
5 days pursuant to the Municipal Code of Chicago.

6 Earlier this evening, as required by the  
7 Open Meetings Act, the Board met and considered  
8 minutes and recordings of all past closed meetings  
9 to determine whether the need for confidentiality  
10 still exists.

11 The Board Members unanimously agreed that  
12 it continues to be necessary to keep confidential  
13 the minutes and recordings of its past closed  
14 meetings.

15 Copies of orders issued by the  
16 Superintendent during the previous month are  
17 available in the back in those blue books.

18 The next item is the Superintendent's  
19 report to the Board. Is there a motion to waive the  
20 oral presentation and receive the report in writing?

21 MS. FRY: So moved.

22 MR. CONLON: Second.

23 MR. CARNEY: All in favor?

24 MS. BALLATE: Aye.

1 MR. CARNEY: Aye.

2 MR. CONLON: Aye.

3 MS. FRY: Aye.

4 MS. RODRIGUEZ: Aye.

5 MS. SWEENEY: Aye.

6 MR. EADDY: Aye.

7 MR. FOREMAN: Aye.

8

9 MR. CARNEY: Any opposed?

10 (No response.)

11 MR. CARNEY: I will now call upon those members  
12 of the public who signed up to speak in advance.

13 When your name is called, please step up  
14 to the microphone, and we ask that you limit your  
15 comments to two minutes.

16 The only speaker we have signed up this  
17 evening is Mr. Robert More.

18 Mr. Robert More?

19 MR. MORE: Yes, Mr. Carney.

20 MR. CARNEY: Mr. More, can you remove your hat?

21 MR. MORE: No, that's fine.

22 MR. CARNEY: Remove your hat, please.

23 MR. MORE: Again, lack of respect, but there is  
24 no lack of respect to referring to me as

1 anti-Semitic or to truncate my conveyances when you  
2 don't find them compatible with your agenda.

3 That's no disrespect there. We have to  
4 get your definition of respect, Mr. Carney, but,  
5 first of all, I have to get this thing to come back  
6 on.

7 Mr. Wysinger, Assistant Superintendent  
8 Wysinger, if that's your title if I'm correct, where  
9 is Superintendent McCarthy?

10 I spoke to someone in his office at 3:30  
11 and I was informed that he is in Chicago today.  
12 He's in the office.

13 Mr. Bazarek, do you know  
14 where -- is there an explanation for why the  
15 Superintendent is not here tonight?

16 MR. CARNEY: Continue, Mr. More.

17 MR. MORE: Mr. Carney, why do you -- why don't  
18 you let them answer the question and let the public  
19 see that there is a question to be answered?

20 MR. CARNEY: Because it's our meeting and I'm  
21 running the meeting.

22 MR. MORE: So that's hearsay and you have  
23 control over the true minutes?

24 MR. CARNEY: I do. Continue.

1 MR. MORE: And that is not -- that does not let  
2 me enjoy my First Amendment rights.

3 MR. CARNEY: Continue, Mr. More.

4 MR. MORE: You have control over the content of  
5 my conveyances? What authority do you cite to  
6 support that position?

7 MR. CARNEY: Continue, Mr. More.

8 MR. MORE: Okay. Under my objection, I don't  
9 consent to this.

10 First of all, I have to get this off my  
11 conscious. I do not consent to have anything as a  
12 citizen of the City of Chicago presented to the City  
13 of Chicago Police Department from the  
14 Anti-Defamation League.

15 There are references to training  
16 materials from the ADL. It is my understanding that  
17 that's the Anti-Defamation League. Is that correct,  
18 Mr. Bazarek?

19 What does the ADL stand for? I don't  
20 consent to anything from the Anti-Defamation League.  
21 The Anti-Defamation League is committed to getting  
22 rid of people like me at any cost.

23 Number two, I don't consent to have any  
24 arrangement in the City of Chicago as a citizen of

1 the City of Chicago in which there is any  
2 provocation of grave sins against the Sixth and  
3 Ninth Commandments under the auspices of stopping  
4 prostitution.

5           There is not a legitimate way to prevent  
6 prostitution by having employees of the City of  
7 Chicago who are dressed in a way that's not  
8 compatible with the requirements of modesty of  
9 dress. I don't consent to that.

10           Next question to the Assistant  
11 Superintendent speaking for the City of Chicago:  
12 The People vs. Clark and the People vs. Moreno, the  
13 Illinois Supreme Court has declared that there is a  
14 Constitutional protected right under the First  
15 Amendment to make audio recordings of all government  
16 activity in which there is no interest which society  
17 is ready to recognize, Katz vs. US, in an interest  
18 in privacy as being reasonable.

19           MR. CARNEY: Mr. More, please finish up.

20           MR. MORE: Okay. My question is: Has that --  
21 People vs. Moreno and People vs. Clark, is that now  
22 the policy?

23           Are all the members of the City of  
24 Chicago Police Department of Chicago familiar with

1 that ruling that we have a Constitutionally  
2 protected right that's been recognized by the  
3 Illinois Supreme Court to record activity under the  
4 First Amendment without interference from any member  
5 of any police state?

6 Please answer that question. Has that  
7 been disseminated at the street level?

8 MR. BAZAREK: Mr. More, our policies as you  
9 know -- we've talked about this before -- Department  
10 procedure is available to you online.

11 The Chicago Police Department follows the  
12 law.

13 MR. MORE: So it has been disseminated at the  
14 street level. I can take this and when I have an  
15 interaction with members of the Chicago Police  
16 Department --

17 MR. CARNEY: Thank you, Mr. More. Your time is  
18 up. Thank you.

19 MR. MORE: -- on the street --

20 MR. CARNEY: At this time, we have no other  
21 speakers who have signed up to speak in advance.

22 Is there a motion to adjourn?

23 MS. FRY: So moved.

24 MR. CONLON: Second.

1 MR. CARNEY: All those in favor?

2 MS. BALLATE: Aye.

3 MR. CARNEY: Aye.

4 MR. CONLON: Aye.

5 MS. FRY: Aye.

6 MS. RODRIGUEZ: Aye.

7 MS. SWEENEY: Aye.

8 MR. EADDY: Aye.

9 MR. FOREMAN: Aye.

10

11 MR. CARNEY: Any opposed?

12 (No response.)

13 MR. CARNEY: The motion passes and the meeting  
14 is adjourned.

15 (Meeting Adjourned.)

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1 STATE OF ILLINOIS )

2 ) SS:

3 COUNTY OF W I L L )

4 I, KATHLEEN A. MARTHALER, CSR

5 No. 84-4036, a Certified Shorthand Reporter of the

6 State of Illinois, do hereby certify that I reported

7 in shorthand the proceedings had at the meeting

8 aforesaid, and that the foregoing is a true,

9 complete, and correct transcript of the proceedings

10 of said meeting as appears from my stenographic

11 notes so taken and transcribed under my personal

12 direction.

13 IN WITNESS WHEREOF, I do hereunto set my

14 hand at Chicago, Illinois, this 3rd day of April,

15 2015.

16

17

18 KATHLEEN A. MARTHALER, CSR No. 84-4036

19 Certified Shorthand Reporter

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